

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQ DELTA, LLC,

Plaintiff,

v.

COMMSCOPE HOLDING COMPANY,
INC., COMMSCOPE, INC., ARRIS US
HOLDINGS, INC., ARRIS SOLUTIONS,
INC., ARRIS TECHNOLOGY, INC., and
ARRIS ENTERPRISES, LLC,

Defendants.

Civil Action No.: 2:21-cv-310

**COMMSCOPE’S UNOPPOSED MOTION TO EXPEDITE
BRIEFING SCHEDULE REGARDING COMMSCOPE’S OPPOSED
MOTION TO CHANGE LEAD COUNSEL DESIGNATION**

Defendants CommScope Holding Company, Inc., CommScope Inc., ARRIS US Holdings, Inc., ARRIS Solutions, Inc., ARRIS Technology, and ARRIS Enterprises, LLC (collectively, “CommScope”) respectfully file this Motion to Expedite the Briefing Schedule regarding their pending Motion to Change Lead Counsel Designation (Dkt. No. 462). Plaintiff TQ Delta, LLC (“Plaintiff” or “TQ Delta”) does not oppose this Motion to Expedite and agrees to file its response to the Motion to Change Lead Counsel Designation not later than Monday, February 27th.

In CommScope’s recently filed Motion to Change Lead Counsel Designation (Dkt. No. 462), CommScope has requested that the Court change the lead counsel designation from Douglas J. Kline of Goodwin Proctor LLP, who will no longer be involved in the case, to Ross R. Barton of Alston & Bird LLP, who entered an appearance on behalf of CommScope in December 2022. In view of the Pretrial Conference set to occur on Wednesday, March 1, 2023, CommScope

respectfully requests an expedited briefing schedule on the Motion to Change Lead Counsel Designation such that the Court will have the opportunity to resolve this issue before the Pretrial Conference.

After meeting and conferring with counsel for TQ Delta, and learning that TQ Delta opposes the Motion to Change Lead Counsel Designation, CommScope promptly filed that Motion on February 21, 2023. Under Local Rule CV-7(e), TQ Delta has fourteen days from the date of service to file a response, meaning the briefing on CommScope's Motion would not be due until nearly a week after the Pretrial Conference. Under the proposed briefing schedule set forth in this Motion to Expedite, to which TQ Delta agrees, CommScope's Motion to Change Lead Counsel Designation would be ripe for adjudication before the Pretrial Conference.

In particular, CommScope proposes, and TQ Delta agrees to, the following expedited briefing schedule.

Brief	New Agreed Deadline
TQ Delta's Response to CommScope's Motion to Change Lead Counsel Designation	Monday, February 27, 2023

CommScope recognizes that "[t]he court need not wait for the reply or sur-reply before ruling on the motion." CV-7(f). However, CommScope expects to file a reply brief (assuming that the motion remains opposed) prior to the Pre-Trial Conference.

Dated this 22nd day of February, 2023

Respectfully submitted,

/s/ Ross R. Barton
Ross R. Barton

Ross R. Barton (NC Bar No. 37179)
M. Scott Stevens (NC Bar No. 37828)
Kirk T. Bradley (NC Bar No. 26490)
Stephen R. Lareau (NC Bar No. 42992)
Karlee N. Wroblewski (NC Bar No. 55043)
Nicholas C. Marais (NC Bar No. 53533)
Erin Beaton (NC Bar No. 59594)
Mary I. Riolo (NC Bar No. 59644)
ALSTON & BIRD LLP
101 S. Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Email: *ross.barton@alston.com*
scott.stevens@alston.com
kirk.bradley@alston.com
stephen.lareau@alston.com
karlee.wroblewski@alston.com
nic.marais@alston.com
erin.beaton@alston.com
mary.riolo@alston.com
Telephone: 704-444-1000
Facsimile: 704-444-1111

Michael C. Deane (GA Bar No. 498195)
Katherine M. Donald
ALSTON & BIRD LLP
1201 West Peachtree St. Suite 4900
Atlanta, GA 30309
Email: *michael.deane@alston.com*
katie.donald@alston.com
Telephone: 404-881-7000
Facsimile: 404-881-7777

Katherine G. Rubschlager (Cal. Bar No. 328100)
ALSTON & BIRD LLP
1950 University Avenue, Suite 430
East Palo Alto, CA 94303
Email: *katherine.rubschlager@alston.com*
Telephone: 650-838-2004
Facsimile: 650-838-2001

Deron R. Dacus (TX Bar No. 00790553)
THE DACUS FIRM
821 ESE Loop 323, Suite 430
Tyler, Texas 75701
Telephone: (903) 705-1117
Facsimile: (903) 581-2543 (fax)

E-Mail: ddacus@dacusfirm.com

Eric H. Findlay
State Bar No. 00789886
Brian Craft
State Bar No. 04972020
FINDLAY CRAFT, P.C.
102 N. College Ave, Ste. 900
Tyler, TX 75702
903-534-1100 (t)
903-534-1137 (f)
efindlay@findlaycraft.com
bcraft@findlaycraft.com

Douglas J. Kline
Lana S. Shiferman
Christie Larochelle
GOODWIN PROCTER LLP
100 Northern Avenue
Boston, MA 02210
P: (617) 570-1000
F: (617) 523-1231
dkline@goodwinlaw.com
lshiferman@goodwinlaw.com
clarochelle@goodwinlaw.com

Brett Schuman
Rachel M. Walsh
GOODWIN PROCTER LLP
Three Embarcadero Center, 28th Floor
San Francisco, CA 94111
P: (415) 733-6000
F: (415) 677-9041
bschuman@goodwinlaw.com
rwalsh@goodwinlaw.com

Andrew Ong
GOODWIN PROCTER LLP
601 Marshall St.
Redwood City, CA 94063
P: (650) 752-3100
F: (650) 853-1038
aong@goodwinlaw.com

Attorneys for Defendants

*CommScope Holding Company, Inc,
CommScope Inc., ARRIS US Holdings, Inc.,
ARRIS Solutions, Inc., ARRIS Technology,
Inc., and ARRIS Enterprises, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this Wednesday, February 22, 2023, I served a true and correct copy of the above and foregoing document to all counsel of record via electronic mail.

/s/ Ross R. Barton
Ross R. Barton

CERTIFICATE OF CONFERENCE

I hereby certify that CommScope has complied with the meet-and-confer requirements of Local Rule CV-7(h) and (i). TQ Delta does not oppose the motion to expedite and agrees to file its response on Monday, February 27th.

/s/ Ross R. Barton
Ross R. Barton